

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT SECRETARY

January 23, 2004

US Army Corps of Engineers Regulatory Branch 6508 Falls of the Neuse Road Raleigh, NC 27615

ATTENTION: Mr. Eric Alsmeyer

NCDOT Coordinator

Dear Sir:

SUBJECT:

Application for Nationwide Permit 14 for the relocation of Service Road (SR 1126) near the intersection of US 15-501 and Garrett Road (SR 1116) and addition of a left turn lane from southbound US 15-501 onto Garrett Road with an additional westbound receiving lane on Garrett Road in Durham County. State Project No. 9.8059077 T.I.P. No. U-4009: \$475.00 Debit work order 9.8059077, WBS Element 35010.1.1

The NCDOT proposes to relocate Service Road (SR 1126) near the intersection of US 15-501 and Garrett Road (SR 1116). The project will also include the addition of a left turn lane from southbound US 15-501 onto Garrett Road with an additional westbound receiving lane on Garrett Road in Durham County. The purpose of this project is to relieve congestion and improve safety at the intersection US 15-501, Garret Road and the Service Road. Construction of the proposed project will necessitate in impacts to jurisdictional waters. This project is located in the Cape Fear River Basin within HUC 03030002. There will be 45 feet of jurisdictional stream channel impacted and 0.075 acres of impacts to wetlands. Impacts from this project will qualify for permitting under a Nationwide Permit 14. This project has a let date of May 18, 2004. No Compensatory mitigation is proposed because of the minimal impacts.

NEPA Document Status

A State Environmental Assessment/Finding of No Significant Impact (SEA/FONSI) was prepared by the North Carolina Department of Transportation and approved November 2, 2001. The document describes the need for transportation improvements in the City of Durham. In addition, existing and projected conditions in the study area were described including natural systems and wetlands. Alignments were evaluated with respect to costs, social and economic impacts, and environmental consequences. The SEA/FONSI has been provided to regulatory review agencies involved in the approval process. Additional copies will be provided upon request.

1548 MAIL SERVICE CENTER RALEIGH NC 27699-1548 TELEPHONE: 919-733-3141

WEBSITE: WWW.NCDOT.ORG

FAX: 919-733-9794

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

The subject project is in compliance with 23 CFR Part 771.111(f) which lists the Federal Highway Administration (FHWA) characteristics of independent utility of a project:

- (1) The project connects logical termini and is of sufficient length to address environmental matters on a broad scope;
- (2) The project is usable and a reasonable expenditure, even if no additional transportation improvements are made in the area;
- (3) The project does not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

Resource Status

Wetland Delineations: NCDOT Biologists Karen Lynch and Chris Murray delineated wetlands on February 2, 2001. The USACE (Eric Alsmeyer) verified the wetlands and streams on August 23, 2001 using desktop verification methods. Impacts are reported in Table 1.

Table 1. Stream and Wetland Impacts for TIP Project U-4009, Durham Co.

Site	Station	Stream Name	DWQ Index	Stream	Wetland
			No.	Impacts feet	Impacts (ac)
1	NSR1 14+04	NA	NA	-	0.019
2	NSR2 14+00	UT to Sandy Creek	16-41-1-11	45	0.056
	Total			45	0.075

<u>Permanent Impacts:</u> There are two sites in the project area that impact jurisdictional waters.

DESCRIPTION OF JURISDICTIONAL SITES:

<u>Site 1</u>: located at station NSR1 14+04. There is a riverine linear wetland that is upstream of an intermittent channel. The subject channel becomes intermittent outside of the project area. Two 30" Reinforced concrete pipes will be used to cross this wetland.

<u>Site 2</u>: located at Station NSR2 14+00 An unnamed intermittent tributary originates within the proposed alignment. There is a linear riverine wetland adjacent to the UT that will also be impacted. Wetlands upstream of the road will not be affected by construction. Two 30" reinforced concrete pipes will be used to cross this channel.

Federally Protected Species

Plants and animals with federal classifications of Endangered, Threatened, Proposed Endangered, and Proposed Threatened are protected under provisions of Section 7 and Section 9 of the Endangered Species Act of 1973, as amended. As of February 11, 2003, the United States Fish and Wildlife Service (USFWS) lists three federally protected species as occurring in Durham County. Table 1 lists the species, their status and biological conclusion. Since the original Environmental Assessment was prepared no species have been added to or removed from the list. In a letter dated October 30, 2003, the USFWS concurred with the biological conclusion for all species listed in Durham County. A copy is attached for your convenience.

Table 1. Federally-Protected Species for Durham County

Common Name	Scientific Name	Federal	Habitat	Biological
		Status	Analysis	Conclusion
Bald Eagle	Haliaeetus leucocephalus	T (Proposed for Delisting)	No	No Effect
Smooth Coneflower	Echinacea laevigata	Е	Yes	May Effect, Not Likely to Adversely Effect
Michaux's sumac	Rhus michauxii	Е	Yes	May Effect, Not Likely to Adversely effect

[&]quot;E" denotes Endangered (a species that is in danger of extinction throughout all or a significant portion of its range).

Cultural Resources

Historic Resources: No structures listed in or eligible for the National Register of Historic Places are located in the project area. The State Historic Preservation Office (SHPO) was consulted during the planning of the project. In a letter dated August 24, 2000, exhibited in Appendix A of the SEA, the Department of Cultural Resources indicated that there is no effect on any historical resources as a result of TIP project U-4009.

<u>Archaeological Resources:</u> The data recovery investigations found no archeological or documentary evidence that required further archeological work. The State Historic Preservation Officer was consulted during the planing of the project. In a letter dated August 24, 2000, the Department of Cultural resources indicated that there is no effect on archeological resources as a result of TIP project U-4009.

Mitigation Options

The NCDOT is committed to incorporating all reasonable and practicable design features to avoid and minimize wetland impacts, and to provide full compensatory mitigation of all remaining wetland impacts. Avoidance measures were taken during the planning and SEA/FONSI phases; minimization measures were incorporated as part of the project design.

<u>Avoidance</u>: All wetlands not directly affected by the project will be protected from unnecessary encroachment.

1. No staging of construction equipment or storage of construction supplies will be allowed in wetlands or near surface waters.

[&]quot;T" denotes Threatened (a species that is likely to become an endangered species within the foreseeable future throughout all or significant portion of its range).

[&]quot;*" Based on Latest survey of October 8, 2003

Minimization: Wetland impacts were minimized to the maximum extent practical. In addition to directly avoiding wetlands and streams, NCDOT is incorporating the following measures to minimize impact to wetlands and surface waters:

1. Use of 2:1 fill slopes in jurisdictional areas at Site 1 and 2.

Compensation: No compensatory mitigation is proposed because the wetland impacts will be 0.075 acres and the jurisdictional streams impacts total 45 feet.

Regulatory Approvals

Attached for your information is a copy of the roadway designs plans, Pre-construction Notification, and permit drawings for the subject project. Application is hereby made for the Department of Army Section 404 Nationwide 14 for the above-described activities. We are also hereby requesting a 401 Water Quality Certification from the Division of Water Quality. In compliance with Section 143-215.3D(e) of the NCAC we will provide \$475.00 to act as payment for processing the Section 401 permit application previously noted in this application (see Subject line). We are providing seven copies of this application to the North Carolina Department of Environment and Natural Resources, Division of Water Quality, for their review.

Thank you for your assistance with this project. If you have any questions or need additional information please call Mr. Brett Feulner at (919) 715-1488.

Sincerely,

Gregory Thorpe, Ph.D
Environmental Management Director, PDEA

Mr. David Franklin, USACE, Wilmington

Mr. John Dorney, DWQ (7 copies)

Mr. Gary Jordan, USFWS

Mr. Travis Wilson, NCWRC

Mr. Jay Bennett, P.E., Roadway Design

Mr. Omar Sultan, Programming and TIP

Mr. Art McMillan, P.E., Design Services

Mr. David Chang, P.E., Hydraulics

Mr. Greg Perfetti, P.E., Structure Design

Mr. Mark Staley, Roadside Environmental

Mr. Jon Nance, P.E., Division 5 Engineer

Mr. Kristina Solberg, P.E., PDEA

Mr. Chris Murray, Division 5 DEO

Offic	ce Us	se Only: Form Version May 2002
USA	CE A	Action ID No DWQ No
		(If any particular item is not applicable to this project, please enter "Not Applicable" or "N/A".)
I.	Pr	rocessing
	1.	Check all of the approval(s) requested for this project: ☐ Section 404 Permit ☐ Section 10 Permit ☐ Isolated Wetland Permit from DWQ ☐ 401 Water Quality Certification
	<u>2.</u>	Nationwide, Regional or General Permit Number(s) Requested: NW 14 & 33
	3.	If this notification is solely a courtesy copy because written approval for the 401 Certification is not required, check here:
	4.	If payment into the North Carolina Wetlands Restoration Program (NCWRP) is proposed for mitigation of impacts (verify availability with NCWRP prior to submittal of PCN), complete section VIII and check here:
	5.	If your project is located in any of North Carolina's twenty coastal counties (listed on page 4), and the project is within a North Carolina Division of Coastal Management Area of Environmental Concern (see the top of page 2 for further details), check here:
II.	Aj	pplicant Information
	1.	Owner/Applicant Information Name: NCDOT
		Mailing Address: Project Development and Environmental Analysis
		1548 Mail Service Center Raleigh, NC 27966-1548
		Telephone Number: (919) 733-3141 Fax Number: (919) 733-9794 E-mail Address: gthorpe@dot.state.nc.us
	2.	Agent/Consultant Information (A signed and dated copy of the Agent Authorization letter must be attached if the Agent has signatory authority for the owner/applicant.) Name:
		Company Affiliation:
		Mailing Address:

		Telephone Number: Fax Number: Fax Number:
III.	Pr	roject Information
	land book and income book book book book book book book boo	ttach a vicinity map clearly showing the location of the property with respect to local andmarks such as towns, rivers, and roads. Also provide a detailed site plan showing property bundaries and development plans in relation to surrounding properties. Both the vicinity map and site plan must include a scale and north arrow. The specific footprints of all buildings appervious surfaces, or other facilities must be included. If possible, the maps and plans should clude the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property bundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, a long as the property is clearly defined. For administrative and distribution purposes, the SACE requires information to be submitted on sheets no larger than 11 by 17-inch formation to be submitted on sheets no larger than 11 by 17-inch formation awings rather than a sequential sheet version of the full-size plans. If full-size plans are duced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.
	1.	Name of project: Relocation of Service Road (SR 1126) near the intersection of US 15-501 and Garret Road and addition of a left turn lane from southbound US 15-501 onto Garrett Road with an additional westbound receiving on Garret Road
	2.	T.I.P. Project Number or State Project Number (NCDOT Only): <u>U-4009</u>
	3.	Property Identification Number (Tax PIN):
	4.	Location County: Durham Nearest Town: Durham Subdivision name (include phase/lot number): Directions to site (include road numbers, landmarks, etc.): The site is located at the intersection of US 15-501 and Garret Road in Durham, NC
	5.	Site coordinates, if available (UTM or Lat/Long): <u>UTM 17 682677E 3981510N</u> (Note – If project is linear, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)
	6.	Property size (acres):
	7.	Nearest body of water (stream/river/sound/ocean/lake): <u>Unnamed Tributaries to Sandy Creek</u>
	8.	River Basin: <u>Cape Fear</u> (Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at http://h2o.enr.state.nc.us/admin/maps/ .)

<u>Jur</u>	ture Project Plans
If prothe cer cer but list	jurisdictional determinations and/or permits have been requested and/or obtained for this oject (including all prior phases of the same subdivision) in the past, please explain. Include USACE Action ID Number, DWQ Project Number, application date, and date permits and rtifications were issued or withdrawn. Provide photocopies of previously issued permits, rtifications or other useful information. Describe previously approved wetland, stream and ffer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, and describe permits issued for prior segments of the same T.I.P. project, along with instruction schedules.
11.	. Explain the purpose of the proposed work: The purpose is to relieve congestion and improve safety.
	Describe the overall project in detail, including the type of equipment to be used: <u>Plans for relocation the road include grading, drainage, paving, widening resurfacing and signals.</u> Equipment used will include regular equipment utilized in new road construction
- 10	

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. The applicant must also provide justification for these impacts in Section VII below. All proposed impacts, permanent and temporary, must be listed herein, and must be clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) must be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

1.	Provide a written description of the proposed impacts:

2. Individually list wetland impacts below:

Wetland Impact Site Number (indicate on map)	Type of Impact*	Area of Impact (acres)	Located within 100-year Floodplain** (yes/no)	Distance to Nearest Stream (linear feet)	Type of Wetland***
1	Fill	0.009	No	Adjacent	Forested
1	Mechanized clearing	0.01	No	Adjacent	Forested
2	Fill	0.056	No	Adjacent	Forested

^{*} List each impact separately and identify temporary impacts. Impacts include, but are not limited to: mechanized clearing, grading, fill, excavation, flooding, ditching/drainage, etc. For dams, separately list impacts due to both structure and flooding.

List the total acreage (estimated) of all e	xisting wetlands on the property:
Total area of wetland impact proposed:_	0.075

3. Individually list all intermittent and perennial stream impacts below:

Stream Impact Site Number (indicate on map)	Type of Impact*	Length of Impact (linear feet)	Stream Name**	Average Width of Stream Before Impact	Perennial or Intermittent? (please specify)
1	Fill	45 ft	UT to Sandy Creek	1ft	Intermittent

List each impact separately and identify temporary impacts. Impacts include, but are not limited to: culverts and associated rip-rap, dams (separately list impacts due to both structure and flooding), relocation (include linear feet before and after, and net loss/gain), stabilization activities (cement wall, rip-rap, crib wall, gabions, etc.), excavation, ditching/straightening, etc. If stream relocation is proposed, plans and profiles showing the linear footprint for both the original and relocated streams must be included.

^{** 100-}Year floodplains are identified through the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (FIRM), or FEMA-approved local floodplain maps. Maps are available through the FEMA Map Service Center at 1-800-358-9616, or online at http://www.fema.gov.

^{***} List a wetland type that best describes wetland to be impacted (e.g., freshwater/saltwater marsh, forested wetland, beaver pond, Carolina Bay, bog, etc.) Indicate if wetland is isolated (determination of isolation to be made by USACE only).

^{**} Stream names can be found on USGS topographic maps. If a stream has no name, list as UT (unnamed tributary) to the nearest downstream named stream into which it flows. USGS maps are available through the USGS at 1-800-358-9616, or online at www.usgs.gov. Several internet sites also allow direct download and printing of USGS maps (e.g., www.topozone.com, <a href="https://

en Water Impact		Area of	Name of Waterbody	Type of Waterbody
Site Number	Type of Impact*	Impact	(if applicable)	(lake, pond, estuary, sound,
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DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on March 9, 2000, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCWRP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ's Draft Technical Guide for Stream Work in North Carolina, available at http://h2o.enr.state.nc.us/ncwetlands/strmgide.html.

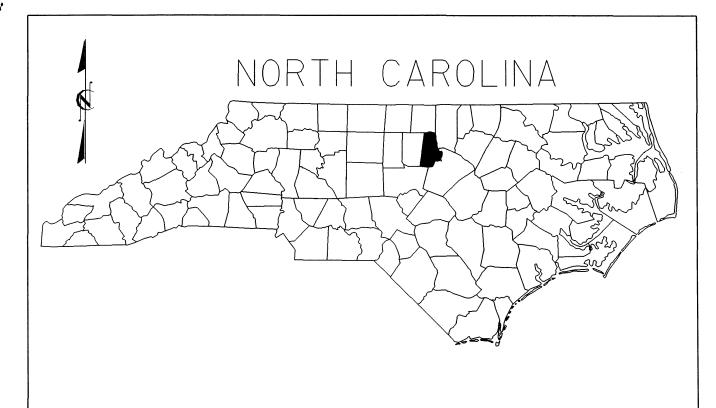
1.	Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed. N/A
2.	Mitigation may also be made by payment into the North Carolina Wetlands Restoration Program (NCWRP). Please note it is the applicant's responsibility to contact the NCWRP at (919) 733-5208 to determine availability and to request written approval of mitigation prior to submittal of a PCN. For additional information regarding the application process for the NCWRP, check the NCWRP website at http://h2o.enr.state.nc.us/wrp/index.htm . If use of the NCWRP is proposed, please check the appropriate box on page three and provide the
	Amount of stream mitigation requested (linear feet): Amount of buffer mitigation requested (square feet): Amount of Riparian wetland mitigation requested (acres): Amount of Non-riparian wetland mitigation requested (acres):

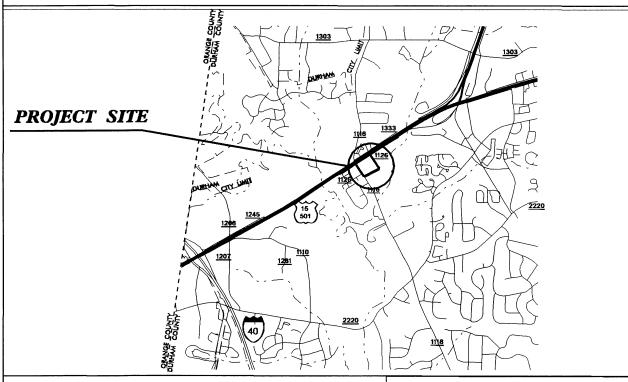
	Amount of Coastal wetland mitigation requested (acres):
IX.	Environmental Documentation (required by DWQ)
	Does the project involve an expenditure of public (federal/state) funds or the use of public (federal/state) land? Yes No
	If yes, does the project require preparation of an environmental document pursuant to the requirements of the National or North Carolina Environmental Policy Act (NEPA/SEPA)? Note: If you are not sure whether a NEPA/SEPA document is required, call the SEPA coordinator at (919) 733-5083 to review current thresholds for environmental documentation. Yes No
	If yes, has the document review been finalized by the State Clearinghouse? If so, please attach a copy of the NEPA or SEPA final approval letter. Yes No
X.	Proposed Impacts on Riparian and Watershed Buffers (required by DWQ)
	It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to required state and local buffers associated with the project. The applicant must also provide justification for these impacts in Section VII above. All proposed impacts must be listed herein, and must be clearly identifiable on the accompanying site plan. All buffers must be shown on a map, whether or not impacts are proposed to the buffers. Correspondence from the DWQ Regional Office may be included as appropriate. Photographs may also be included at the applicant's discretion.
	Will the project impact protected riparian buffers identified within 15A NCAC 2B .0233 (Neuse), 15A NCAC 2B .0259 (Tar-Pamlico), 15A NCAC 2B .0250 (Randleman Rules and Water Supply Buffer Requirements), or other (please identify
	Identify the square feet and acreage of impact to each zone of the riparian buffers. <u>If</u> buffer mitigation is required calculate the required amount of mitigation by applying the buffer multipliers.

Zone*	Impact (square feet)	Multiplier	Required Mitigation
1		3	
2		1.5	
Total			

^{*} Zone 1 extends out 30 feet perpendicular from near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

Stormwater (required by DWQ)
Describe impervious acreage (both existing and proposed) versus total acreage on the sir Discuss stormwater controls proposed in order to protect surface waters and wetlan downstream from the property.
Sewage Disposal (required by DWQ)
Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) wastewater generated from the proposed project, or available capacity of the subject facility.
Violations (required by DWQ)
Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules? Yes No
Is this an after-the-fact permit application? Yes □ No ☒
Other Circumstances (Optional):
It is the applicant's responsibility to submit the application sufficiently in advance of design construction dates to allow processing time for these permits. However, an applicant in choose to list constraints associated with construction or sequencing that may impose limits work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered at Threatened Species, accessibility problems, or other issues outside of the applicant's control).





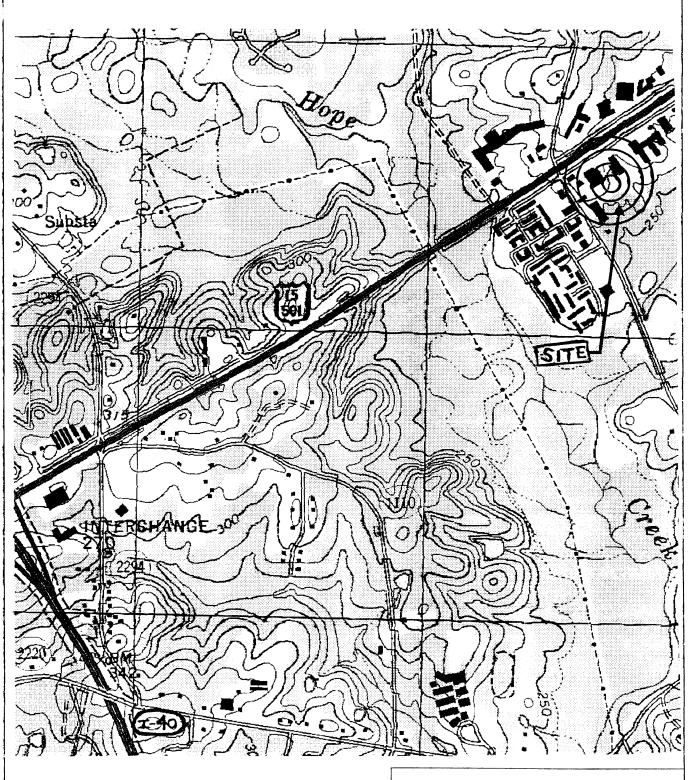
VICINITY MAPS

NCDOT

DIVISION OF HIGHWAYS
DURHAM COUNTY
PROJECT: 9.8059077 (U-4009)

SR 1126 (SERVICE ROAD)
US 15-501 AND GARRETT ROAD

SHEET 1 OF 8 5/28/03



QUAD MAP

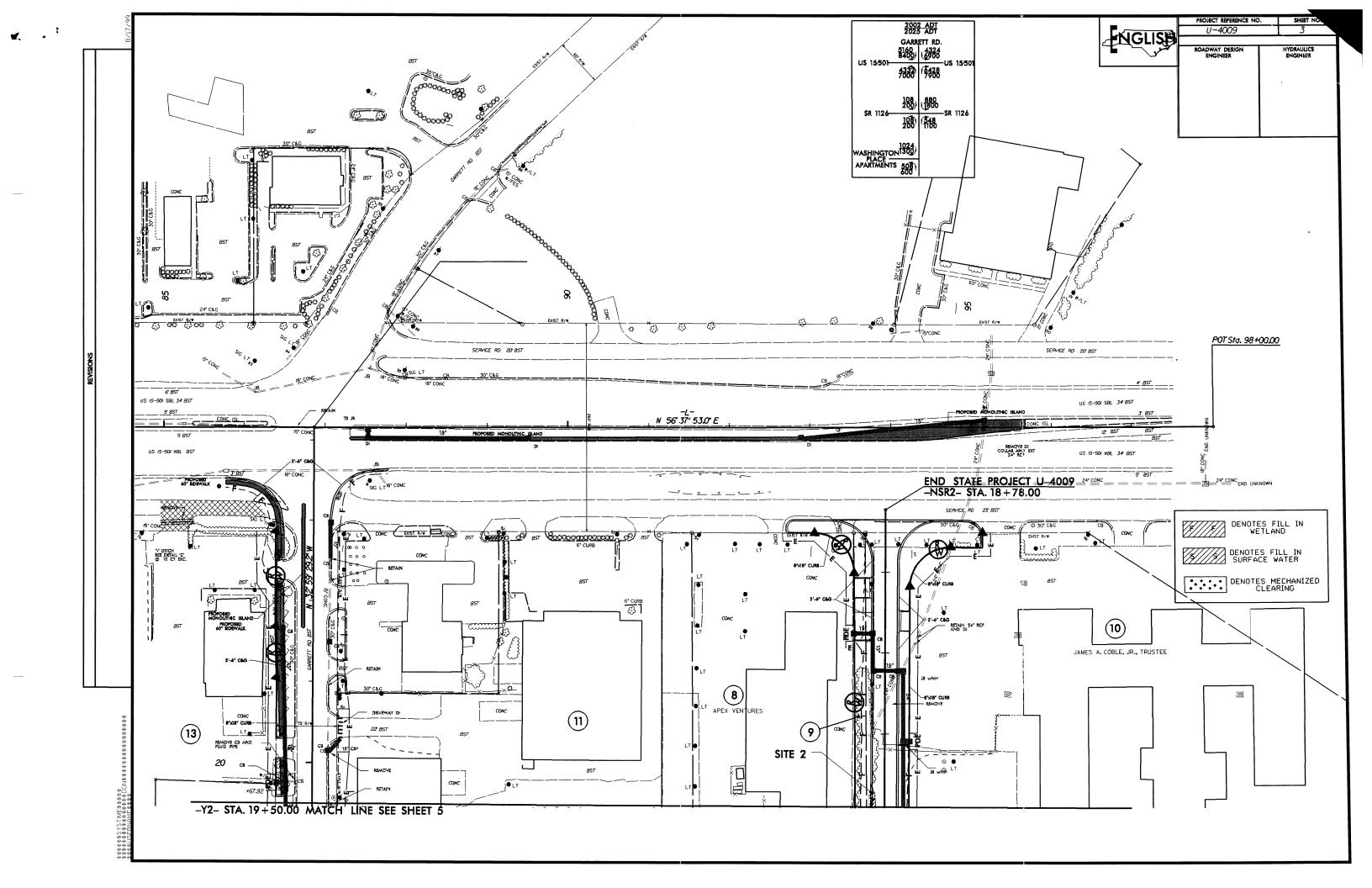
NCDOT

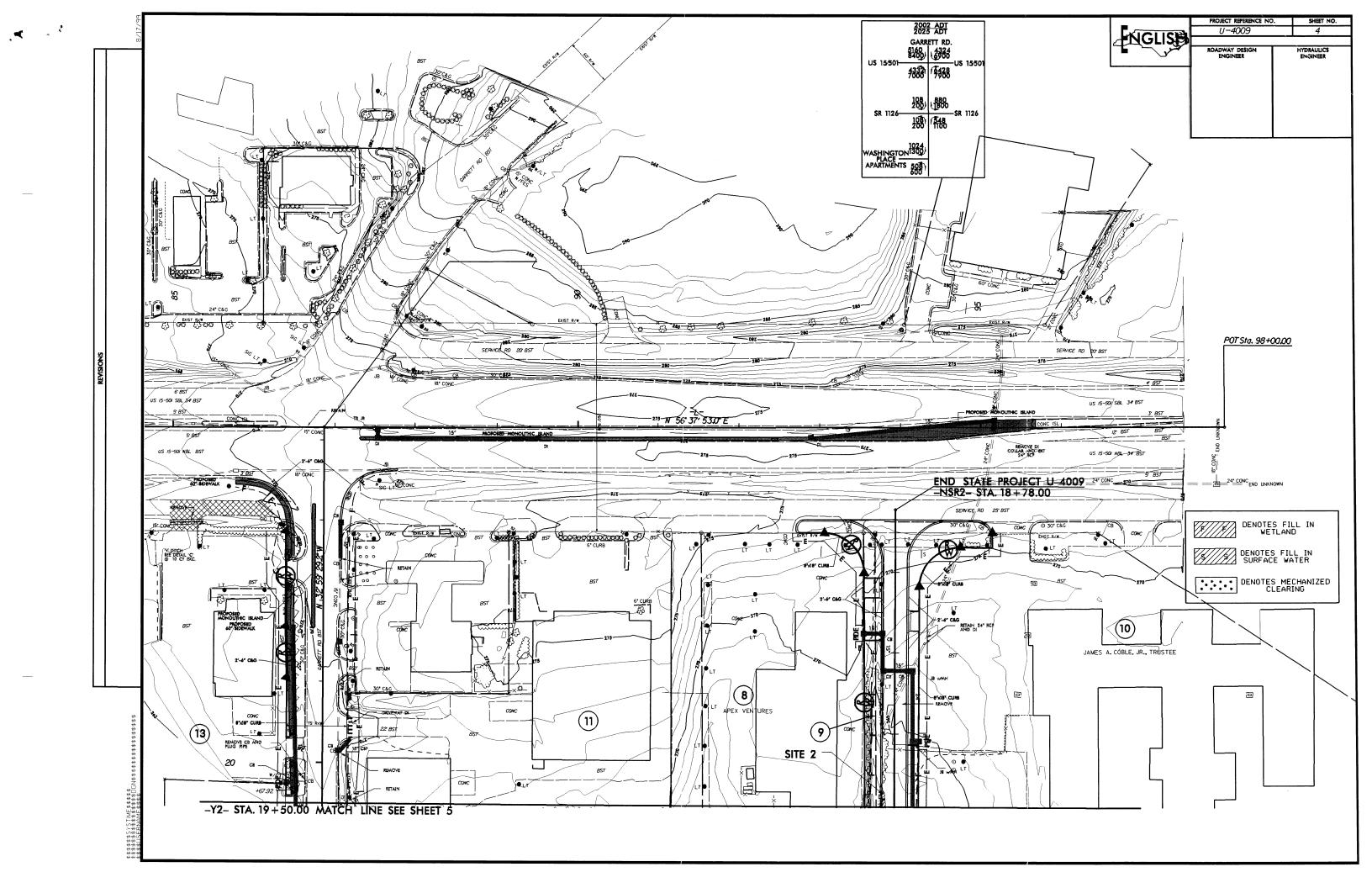
DIVISION OF HIGHWAYS
DURHAM COUNTY
PROJECT: 9.8059077 (U-4009)

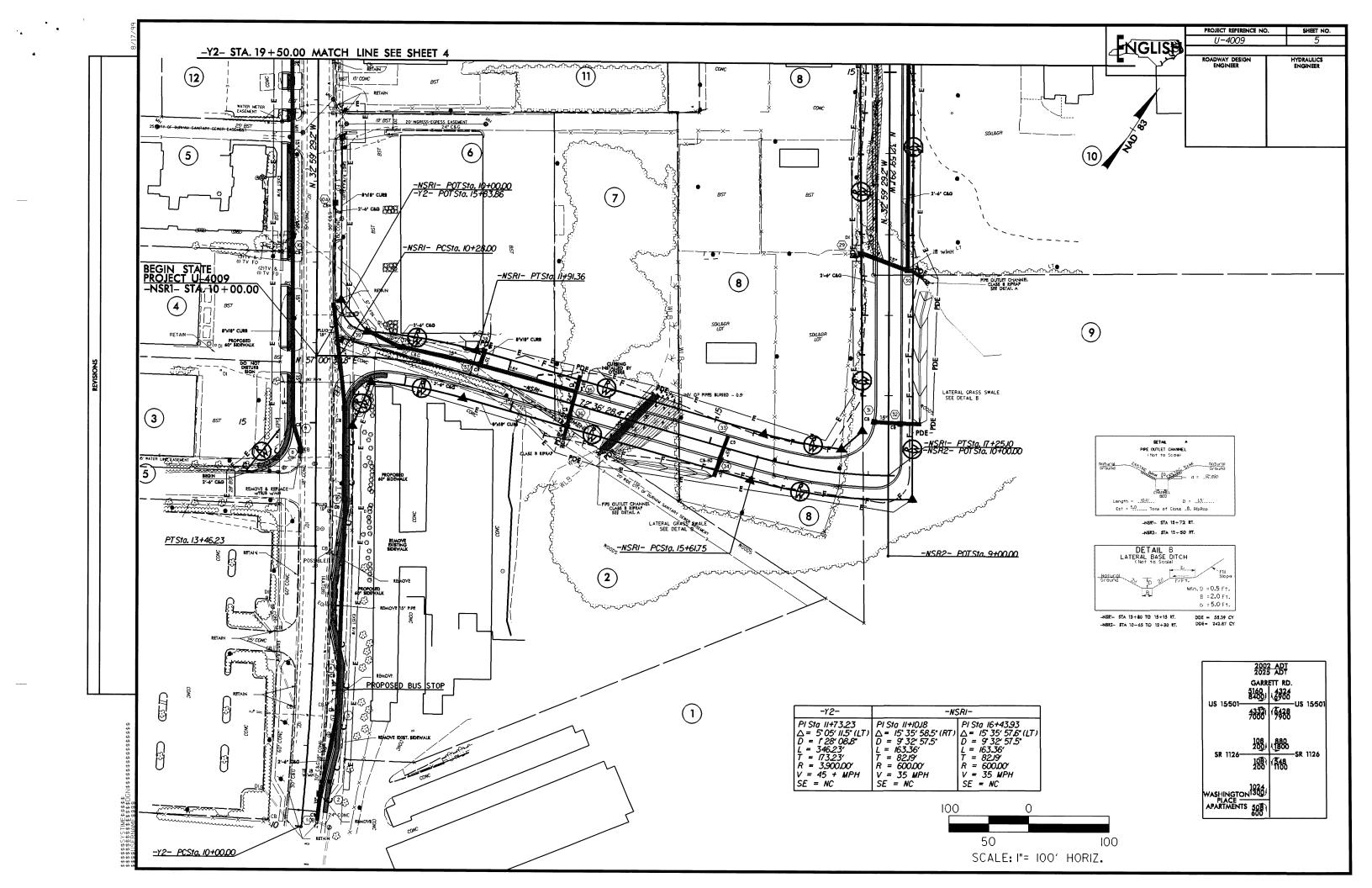
SR 1126 (SERVICE ROAD)
US 15-501 AND GARRETT ROAD

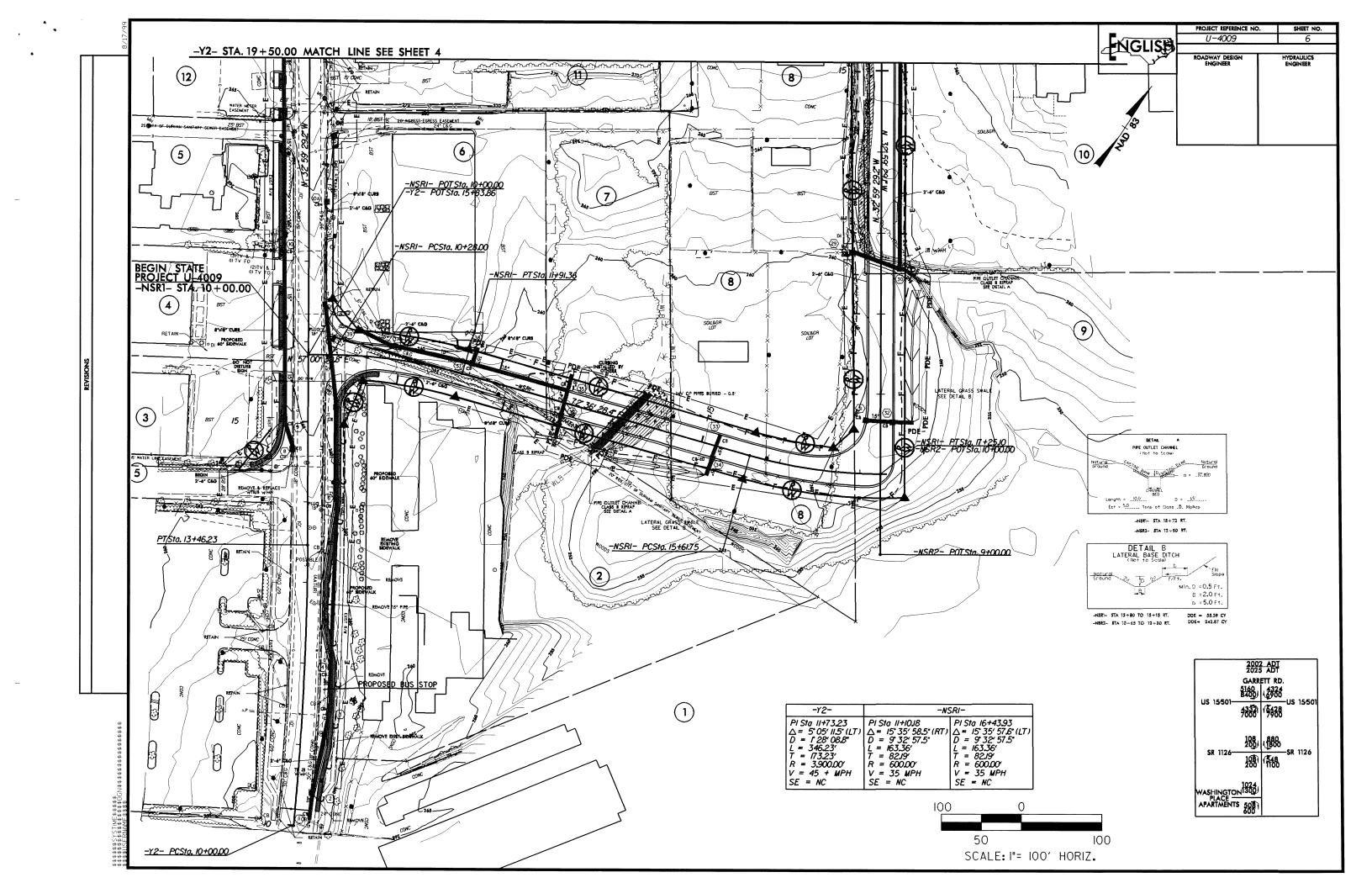
SHEET 2 OF 8

5 / 28 / 03









			3	WEILAND PERMIT IMPACT SUMMARY	KMII IMPAC	SUMMARY					
Site	Station	Structure	Fill In	Temp. Fill	Excavation	Mechanized Clearing	Fill In SW	Fill In SW	Temp. Fill	Existing Channel	Natural Stream
o O	(From/To)	Size / Type	Wetlands (ac)	In Wetlands (ac)	In Wetlands (ac)	(Method III) (ac)	(Natural) (ac)	(Pond) (ac)	In SW (ac)	Impacted (ft)	Design (ft)
	NSR1 14+04	2 @ 30" RCP	600.0			0.010					
2	NSR2 14+00	N/A	0.056				0.008			45.000	
TOTALS:			0.065			0.010	0.008			45 000	

DURHAM COUNTY PROJECT 9.8059077 (U-4009) SR 1126 SERVICE ROAD US - 15-501 @ GARRETT RD.

SHEET 7

OF 8

1/15/2004

Form Revised 3/22/01

PROPERTY OWNERS

NAMES AND ADDRESSES

PARCEL	NO.	NAMES	ADDRESSES	
2		THE ELECTRIC COMPANY GENERAL PARTNERSHIP	235 A.E. MARKET ST. SMITHFIELD, NC 27577	
7		GOLD CENTER LIMITED PARTNERSHIP	P. O. BOX 2734 CHAPEL HILL, NC 27515	
8		APEX VENTURES	2405 MOORES MILL RD. ROUGEMONT, NC 27572	
9		SUMMIT PROPERTIES PARTNERSHIP, L.P. DELAWARE LIMITED PARTNERSHIP	309 E. MOREHEAD ST. CHARLOTTE, NC 28202	
10		JAMES A. COBLE JR., TRUSTEE	122 E. PARRISH ST. DURHAM, NC 27702	

NCDOT

DIVISION OF HIGHWAYS DURHAM COUNTY PROJECT: 9.8059077 (U-4009)

SR 1126 (SERVICE ROAD) US 15-501 AND GARRETT ROAD

SHEET 8 OF 8 5/28/03



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Raleigh Field Office Post Office Box 33726 Raleigh, North Carolina 27636-3726

October 30, 2003

Brett Feulner North Carolina Department of Transportation Project Development and Environmental Analysis 1548 Mail Service Center Raleigh, North Carolina 27699-1548

Dear Mr. Feulner:

This letter is in response to your letter of October 22, 2003 which provided the U.S. Fish and Wildlife Service (Service) with the biological conclusion of the North Carolina Department of Transportation (NCDOT) that the proposed relocation of Service Road (SR 1126) in Durham County, North Carolina (TIP No. U-4009) will have no effect on the federally-threatened bald eagle (*Haliaeetus leucocephalus*) and may affect, but is not likely to adversely affect the federally-endangered Michaux's sumac (*Rhus michauxii*) and smooth coneflower (*Echinacea laevigata*). These comments are provided in accordance with section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531-1543).

According to the information you submitted, a plant survey was conducted on October 15, 2003 at the proposed project site. No specimens of Michaux's sumac or smooth coneflower were observed. Based on the negative survey results, the Service concurs that the project may affect, but is not likely to adversely affect Michaux's sumac or smooth coneflower. Also, due to the lack of habitat, the Service concurs that the project will have no effect on the bald eagle. We believe that the requirements of section 7 (a)(2) of the ESA have been satisfied. We remind you that obligations under section 7 consultation must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered in this review; (2) this action is subsequently modified in a manner that was not considered in this review; or (3) a new species is listed or critical habitat determined that may be affected by this identified action.

The Service appreciates the opportunity to review this project. If you have any questions regarding our response, please contact Mr. Gary Jordan at (919) 856-4520 (Ext. 32).

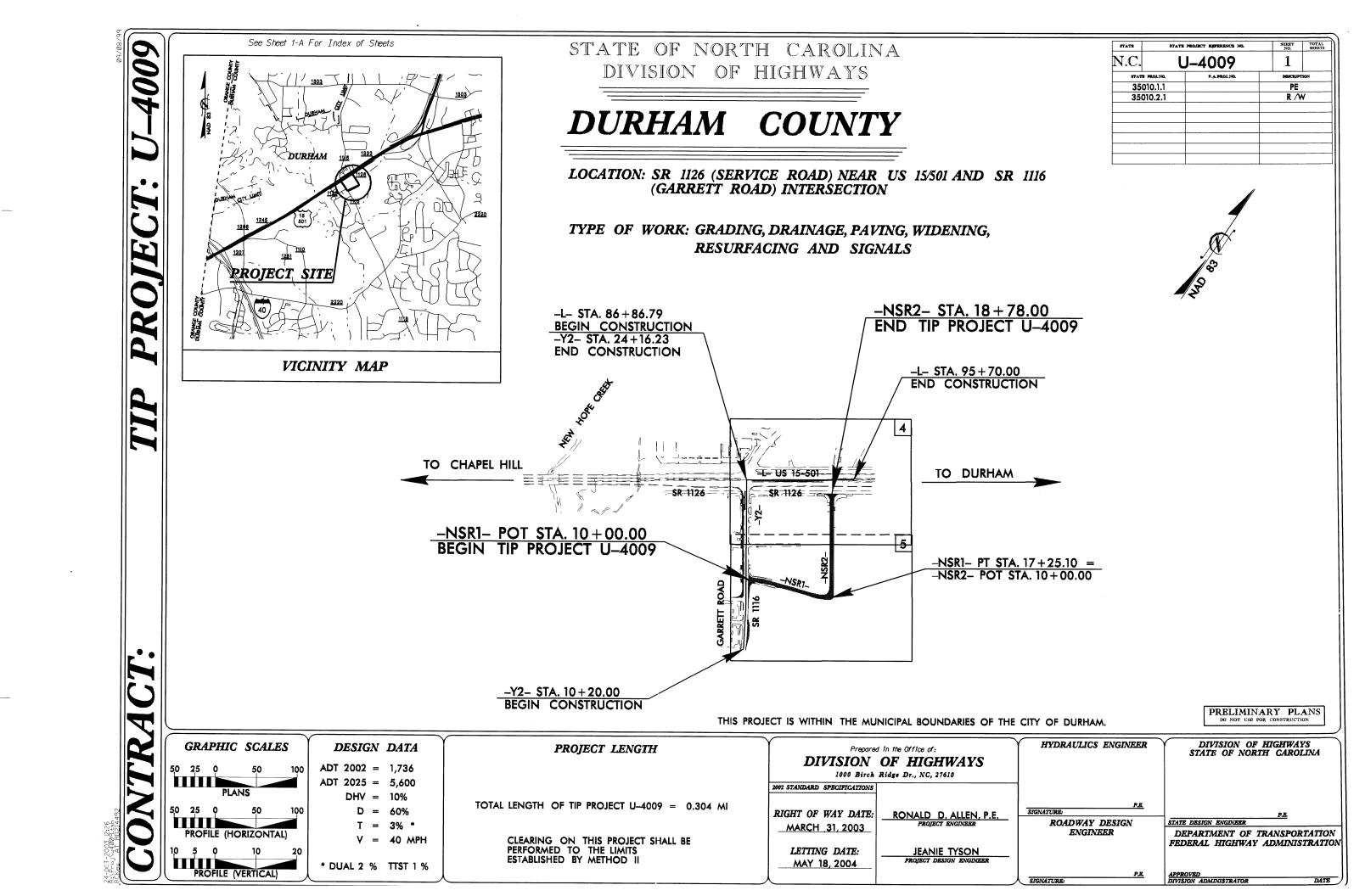
Sincerely,

Garland B. Pardue, Ph.D.

C/sh E. Ellis

Ecological Services Supervisor

cc: Eric Alsmeyer, USACE, Raleigh, NC David Franklin, USACE, Wilmington, NC John Hennessy, NCDWQ, Raleigh, NC Travis Wilson, NCWRC, Creedmore, NC Chris Militscher, USEPA, Raleigh, NC



*S.U.E = SUBSURFACE UTILITY ENGINEER

STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

CONVENTIONAL SYMBOLS

ROADS & RELATED ITEMS Edge of Pavement **MINOR** Head & End Wall Prop. Slope Stakes Cut _____ c ___ c Pipe Culvert Prop. Slope Stakes Fill ________ Prop. Woven Wire Fence Drainage Boxes Prop. Chain Link Fence Paved Ditch Gutter _______ Prop. Barbed Wire Fence Prop. Wheelchair Ramp **UTILITIES** Curb Cut for Future Wheelchair Ramp Exist. Guardrail Exist. Pole Prop. Guardrail Exist. Power Pole Prop. Power Pole Equality Symbol Exist. Telephone Pole Pavement Removal Prop. Telephone Pole RIGHT OF WAY Exist. Joint Use Pole Prop. Joint Use Pole Baseline Control Point Existing Right of Way Marker Telephone Pedestal U/G Telephone Cable Hand Hold Exist. Right of Way Line w/Marker _______ Cable TV Pedestal Prop. Right of Way Line with Proposed U/G TV Cable Hand Hold R/W Marker (Iron Pin & Cap) U/G Power Cable Hand Hold Prop. Right of Way Line with Proposed Hydrant _____ Satellite Dish (Concrete or Granite) R/W Marker _____ Exist. Water Valve Exist. Control of Access Line _____(\$\bar{C}\$)_____ Sewer Clean Out Prop. Control of Access Line Power Manhole Exist. Easement Line Telephone Booth Cellular Telephone Tower Prop. Temp. Construction Easement Line _____ Water Manhole Prop. Temp. Drainage Easement Line ______ Light Pole Prop. Perm. Drainage Easement Line H-Frame Pole Power Line Tower **HYDROLOGY** Pole with Base Stream or Body of Water Gas Valve River Basin Buffer _____ Gas Meter Flow Arrow Telephone Manhole Disappearing Stream _____ Power Transformer Spring Sanitary Sewer Manhole Swamp Marsh ______ Storm Sewer Manhole Shoreline Tank; Water, Gas, Oil Falls, Rapids ----- __ - - + - - _ Water Tank With Legs Prop Lateral, Tail, Head Ditches Traffic Signal Junction Box Fiber Optic Splice Box **STRUCTURES** Television or Radio Tower Utility Power Line Connects to Traffic **MAJOR** Bridge, Tunnel, or Box Culvert

CONC WW

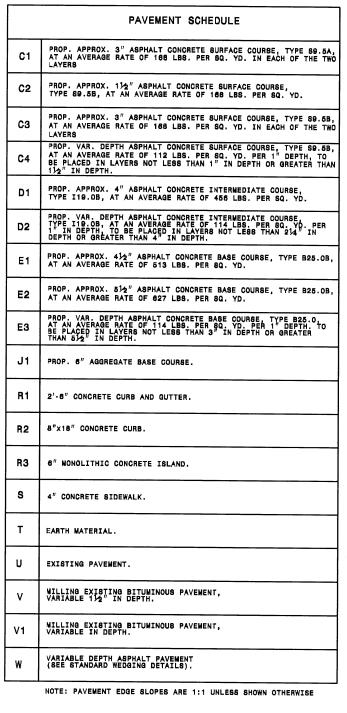
Recorded Water Line	<u>.</u>
Designated Water Line (S.U.E.*)	
Sanitary Sewer	
Recorded Sanitary Sewer Force Main	
Designated Sanitary Sewer Force Main(S.U.E.*). Recorded Gas Line	
Designated Gas Line (S.U.E.*)	
Storm Sewer Recorded Power Line	
Designated Power Line (S.U.E.*)	
Recorded Telephone Cable	•
Designated Telephone Cable (S.U.E.*)	
Recorded U/G Telephone Conduit	
Designated U/G Telephone Conduit (S.U.E.*)	— —тс— —тс— -
Unknown Utility (S.U.E.*)	
Recorded Television Cable	тvтv
Designated Television Cable (S.U.E.*)	— — TV — — TV — —
Recorded Fiber Optics Cable	
Designated Fiber Optics Cable (S.U.E.*)	
Exist. Water Meter	
U/G Test Hole (S.U.E.*)	☎
Abandoned According to U/G Record	ATTUR
End of Information	
BOUNDARIES & PROPER	
State Line	
County Line	
Township Line	
City Line Reservation Line	
Property Line	
Property Line Symbol	 R
Exist. Iron Pin	I O EIP
Property Corner	
Property Monument	ECM
Property Number	(123)
Parcel Number	6
Fence Line	— ×——×——> ₩₩ & ISBW
Existing Wetland Boundaries	— — WLB — -
High Quality Wetland Boundary	HQ WLB
Medium Quality Wetland Boundaries	MO WLB
Low Quality Wetland Boundaries Proposed Wetland Boundaries	
Existing Endangered Animal Boundaries	
Existing Endangered Plant Boundaries	
woming Endangered Figure bootingines	— — ЕРВ —

BUILDINGS & OTHER CULTURE

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\$\frac{1}{2}\$

Bridge Wing Wall, Head Wall

and End Wall



C2 D2	E2
2 1/4'	3' MIN.
Wedging Detail For Resurfaci	ng

PROJECT REFERENCE NO.

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

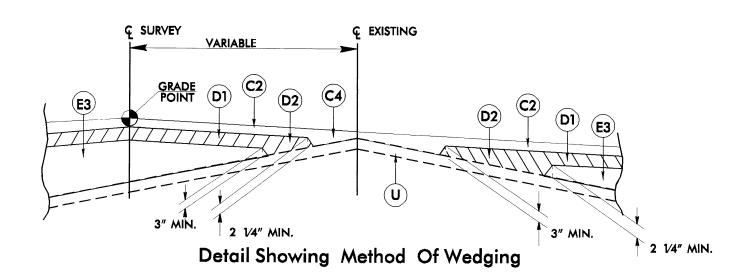
U-4009

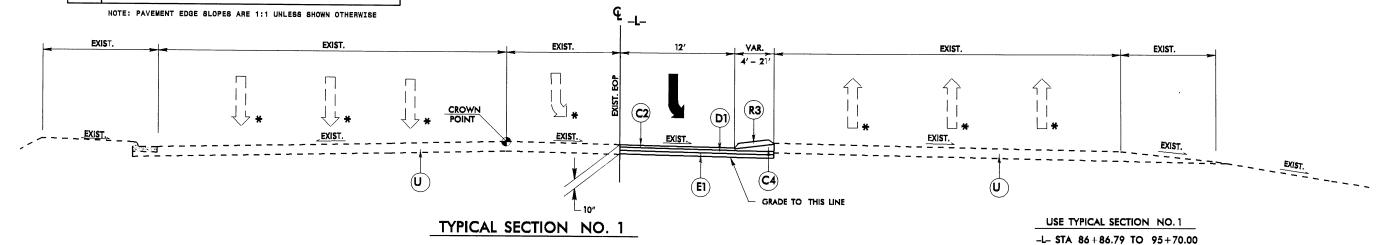
ROADWAY DESIGI ENGINEER

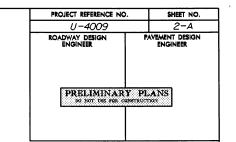
*Existing Lane Usage

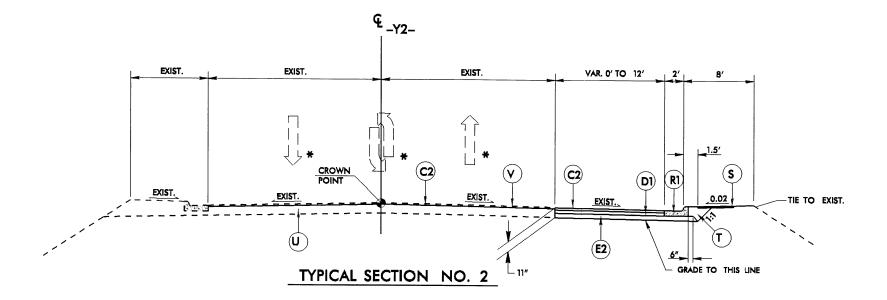
SHEET NO.

EMENT DESIG









USE TYPICAL SECTION NO. 2

-Y2- STA 10+20.00 TO 14+35.00 BUS STOP -Y2- STA 10+20.00 RT TO 12+50.00 RT SEE PLANS FOR RIGHT TURN LANE LOCATION

* Existing Lane Usage

C2	1.8" ASPHALT CONG. SURFACE COURSE, TYPE 89.8B		
D1	4" ASPHALT CONC. INTERMEDIATE COURSE, TYPE I19.08		
E2	5.5" ASPHALT CONG. BASE COURSE, TYPE B25.0B		
R1	2'-6" CONCRETE CURB AND GUTTER.		
8	4" CONCRETE SIDEWALK.		
Т	EARTH MATERIAL.		
U	EXISTING PAVEMENT.		
٧	112" WILLING		
V1	VAR. DEPTH MILLING		
W	MEDGING		

€ -Y2-VAR. SEE PLANS EXIST. EXIST. EXIST. EXIST. (\mathbf{S}) **C2** (R1) (**D1**) GRADE POINT 0.02 EXIST. **T** 6" 1 (\mathbf{U}) **E2**) GRADE TO THIS LINE 11" TYPICAL SECTION NO. 3

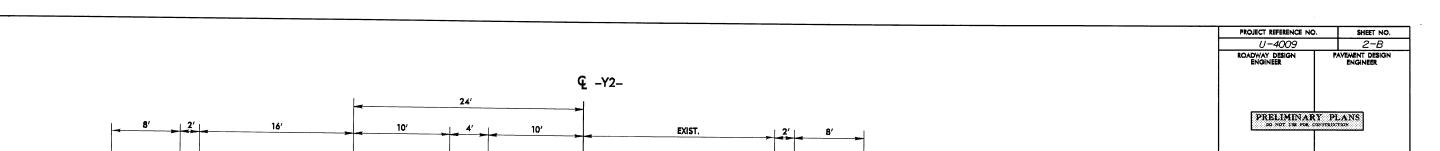
USE TYPICAL SECTION NO.3

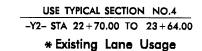
-Y2- STA 14+35.00 TO 22+70.00

USE INSET A -Y2- STA 15+88.00 LT TO 22+15.00 LT USE INSET B -Y2- STA 16+15.00 RT TO 17+15.00 RT

USE INSET C -Y2- STA 17+15.00 RT TO 18+60.00 RT

* Existing Lane Usage





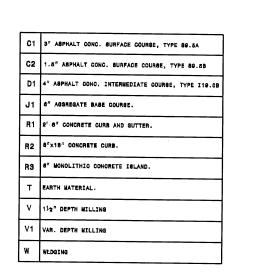
TYPICAL SECTION NO. 4

GRADE POINT

(U)

R3

 \mathbf{w}



1.5'

0.02

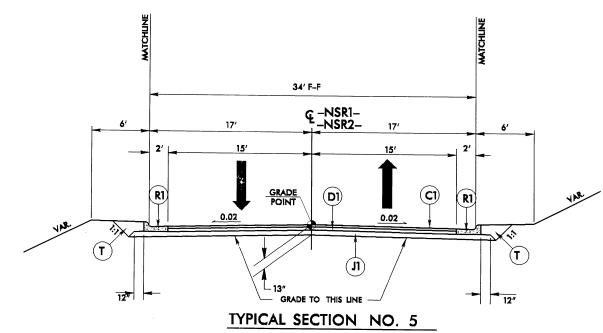
(T)

(D1)

(E2)

GRADE TO THIS LINE

 (\mathbf{S})



USE TYPICAL SECTION NO. 5

-NSRI- STA 10+19.31 TO STA. 17+25.10
-NSR2- STA 10+00.00 TO STA. 18+78.00

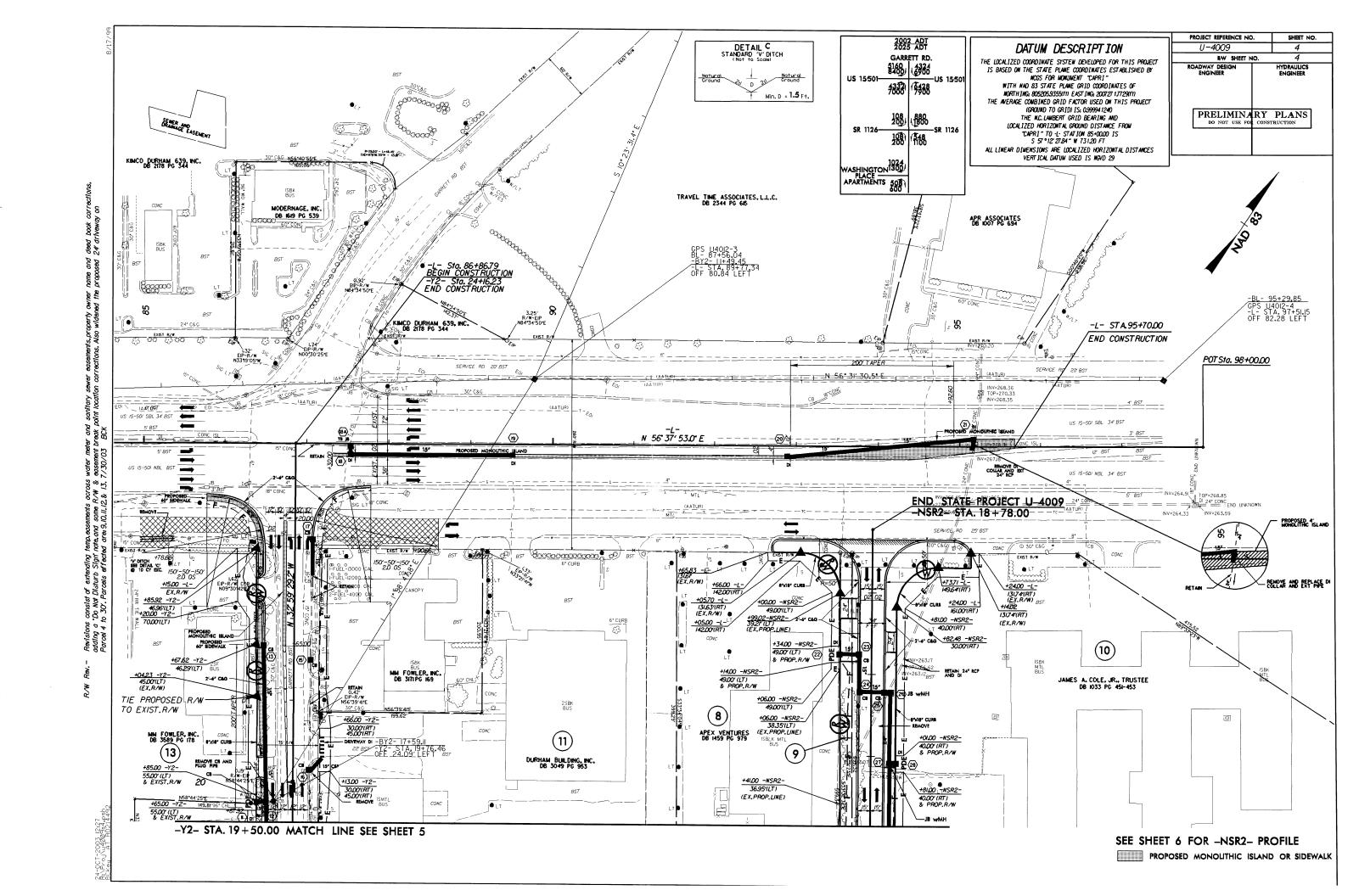
USE INSET D -NSRI- STA 10+60.00 LT TO STA. 12+10.00 LT

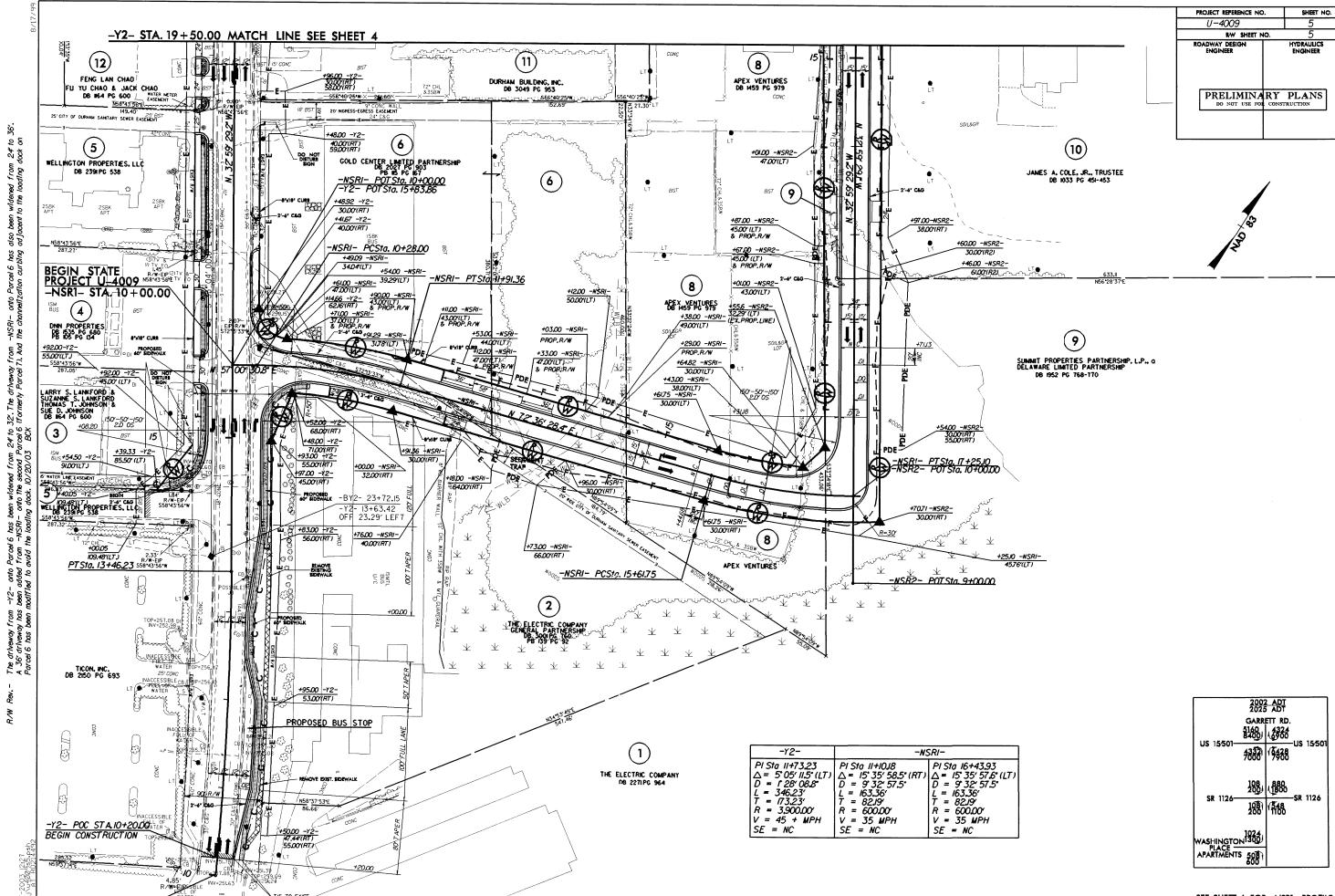
USE INSET D -NSRI- STA 10+65.00 RT TO STA. 12+50.00 RT (MIRROR)

USE INSET E -NSR2- STA 17+15.00 LT TO STA. 18+50.00 LT

USE INSET E -NSR2- STA 15+85.00 RT TO STA. 18+30.00 RT (MIRROR)

INSET A	INSET B	INSET C	INSET D	INSET E
VAR. 8' 1.5' VAR. 0.02 VAR. 0.02 T 6' E2 GRADE TO THIS LINE	B' VAR. Lis Daist, Parking Lot O.02 VAR. THE DAIST PARKING LOT C2 GRADE TO THIS LINE	VAR. VAR. SE EXIST. PARKING LOT C = J VAR. VAR. SE EXIST. PARKING LOT VAR. V	VAR. SEE PLANS WAR GISCOLOGY VAR. O.02 R2	VAR. SEE PLANS 3.9' 0.02 VAR. 0.02 R2





-Y2- PCSta. 10+00,00

SEE SHEET 6 FOR -NSR1- PROFILE SEE SHEET 6 FOR -NSR2- PROFILE

